

Remarks

In the Office Action dated May 7, 2002, the Examiner rejected claims 1-18 under 35 U.S.C. § 112, first paragraph. The Examiner withdrew all of the earlier prior art rejections under 35 U.S.C. § 102 and 103.

In particular, the Examiner stated that the subject matter of claims 1-18 was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed was in possession of the invention of independent claims 1 and 10 which have been amended to recite "three or more calibration die spots".

Briefly, as noted on pages 7 and 8 under the heading "Correction in the two channel microarray experiment," correction is discussed for two channels or two dies. Simple algebra is used rather than matrix algebra.

By contrast, a description of the claimed invention is contained under the heading "Calibration and correction in the 'N' channel microarray experiment" on pages 8 and 9. Three, four or more channels are perhaps even more likely to suffer from crosstalk than 2-channel instruments. The use of matrix algebra is described therein with respect to a three x three matrix, as noted on page 9. The expansion of the matrix noted on page 9 from three x three to four x four or $n \times n$ is straightforward.


Support for three or more calibration die spots can also be found in originally filed claims 8 and 17 wherein the number of calibration die spots is more than or equal to the number of dies. Clearly, the number of dies discussed in the embodiment described on pages 8 and 9 is three. Consequently the number of calibration die spots is three or more for the embodiment of pages 8 and 9.

Furthermore, Figures 3 and 4 illustrate overlap caused by four dies.

Consequently, in view of the above and in the absence of art better than the art already of record in this application, Applicants' attorney respectfully submits the application is in condition for allowance which allowance is respectfully requested.

Respectfully submitted,

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